TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/625,913
Filing Date	July 26, 2000
First Named Inventor	Albert H. F. DE HEER
Group Art Unit	2164
Examiner Name	Sana A. Al-Hashemi
Total Number of Pages in This Submission	90
Attorney Docket Number	002566-016100

ENCLOSURES *(check all that apply)*

- ☒ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
  - ☐ Landscape Table on CD
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☒ **Appeal Communication to Group** *(Appeal Brief)*
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) *(please identify below)*:

Remarks: ☒ The Director is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Daniel S. Song, Reg. No. 43,143 Nixon Peabody LLP 401 9th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	June 26, 2006

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (571) 273-8300) on the date shown below.

Name *(Print/Type)*			
Signature		Date	

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 500.00

Complete if Known	
Application Number	09/625,913
Filing Date	July 26, 2000
First Named Inventor	Albert H. F. DE HEER
Examiner Name	Sana A. Al-Hashemi
Art Unit	2164
Attorney Docket No.	002566-016100

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 19-2380 (002566-16100) Deposit Account Name: Nixon Peabody LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-20238.

FEE CALCULATION

1. BASIC FILING, SEARCH AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fees Paid ($)**
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	**Fee ($)**	**Small Entity Fee ($)**
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple document claims	360	180

Total Claims		**Extra Claims**	**Fee ($)**		**Fee Paid ($)**	**Multiple Dependent Claims**	
	- 20 or HP =		x	=		**Fee ($)**	**Fee Paid ($)**

HP = highest number of total claims paid for, if greater than 20

Indep. Claims		**Extra Claims**	**Fee ($)**		**Fee Paid ($)**
	- 3 or HP =		x	=	

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

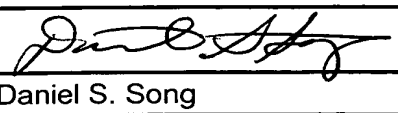
Total Sheets		**Extra Sheets**		**Number of each additional 50 or fraction thereof**		**Fee ($)**		**Fee Paid ($)**
	- 100 =		/ 50 =	(round up to a whole number)	x		=	

4. OTHER FEE(S) **Fees Paid ($)**

Non-English Specification, $130 fee (no small entity discount) _____

Other: Appeal Brief Fee 500.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	43,143	Telephone	(202) 585-8000
Name (Print/Type)	Daniel S. Song			Date	June 26, 2006

Attorney Docket No. 002566-016100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re PATENT application of	)	
Albert H. F. De Heer et al.	)	Confirmation No. 8216
Serial No. 09/625,913	)	Group Art Unit: 2164
Filed: July 26, 2000	)	Examiner: Sana A. Al-Hashemi
For: Methods of Catalog Data Maintenance, Storage, and Distribution	)	

APPEAL BRIEF

Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed April 24, 2006.

I. REAL PARTY IN INTEREST

CNET Networks, Inc. is the real party in interest.

II. RELATED APPEALS AND INTERFERENCES

There are presently no appeals or interferences known to the Appellants, the Appellants' representative, or the assignee, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF THE CLAIMS

Claims 1-39 are pending in the present application, as submitted in an amendment filed on November 18, 2005 in response to the Office Action mailed July 20, 2005. These claims were rejected in the Final Office Action mailed January 24, 2006. Thus, the present case has been more than twice rejected. This Appeal is taken from the rejection of claims 1-39, the claims being submitted in the CLAIMS APPENDIX submitted herewith.

IV. STATUS OF AMENDMENTS

No amendments have been filed subsequent to the Final Office Action mailed January 24, 2006.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention relates to method and system for maintaining and distributing product data to customers such as online merchants of electronic products. Such online merchants do not have the resources to gather, and properly maintain, the voluminous product data that is associated with the high number of electronic products that are available in the marketplace. In particular, although manufacturers of the products have the most detailed information regarding products sold, the information that is ultimately accessible by such online merchants and users of online merchants' catalogs is typically unorganized since different manufacturers utilize different formats to present product information, and/or is inaccurate/out-of-date since products are constantly changed and redesigned. (See Pg. 4, lines 4-15).

Correspondingly, the present invention provides a method and system for maintaining and distributing product data to customers such as online merchants so that current, up-to-date information can be provided for use in an online catalog. In particular, the customers of the product data that is provided in accordance with the present invention can then use the received product data to generate online catalogs for users that purchase desired products from the generated online catalogs of the merchants (customers of the product data). Thus, the present invention allows providing of product data to customers, who in turn, generate online catalogs for users. (See Pg. 13, lines 10-12; Pg. 14, lines 1-24).

Embodiments of the present invention are implemented with various features briefly described herein. In one embodiment, the present invention comprises capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes. (See Pg. 6, lines 10-19; Pg. 13, lines 9-17; Pg. 14, lines 1-15; Pg. 28, lines 6-23; Figs. 5-7). In addition, the captured

product data are stored in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products (see Pg. 14, lines 16-17; Pg. 21, line 14; Figs. 8A-8C; Fig. 10B), and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog (see Pg. 37, lines 9-14; Fig. 10B). The manufacturer SKU is associated with at least one customer SKU (see Pg. 43, lines 8-12), and the customer SKU is associated with the customer for which the product data is being stored for subsequent distribution to the customer (see Pg. 43, lines 8-12; Pg. 26, lines 21-22; Pg. 30, lines 10-11, Pg. 37, lines 9-14; Pg. 43, lines 8-12). As described, the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products. (See Pg. 6, lines 1-9).

Providing of both manufacturer SKU and customer SKU is an important feature in that it allows the customer of the product data, such as an online merchant, to receive product data that is already cross-referenced to SKUs being used by the electronic catalog of the customer, so that the received product data can be readily used in the customer's electronic catalog. In addition, providing of manufacturer SKU and customer SKU increases accuracy in the identification of the product and the associated product data. In particular, SKU numbers are often reused so that two different products may have the same SKU numbers. By providing both manufacturer SKUs and customer SKU numbers, likelihood of proper identification of the products is substantially increased.

In still another embodiment, the present invention includes receiving a customer product portfolio file which allows the customer to indicate the type of product data that the customer would like to receive. In this regard, the present invention includes receiving a customer product portfolio file with a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file. (See Pg. 7, lines 3-5, 20-24; Pg. 36, line 24-Pg. 37, line 7; Pg. 38, line 4-15; Figs. 10A-10B). The customer product portfolio file is

mapped to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which data is requested by the customer has been previously obtained and stored in the system product data file. (See Pg. 7, lines 5-7; Pg. 42, lines 2-4, Pg. 43, lines 13-20; Pg. 44, lines 4-6; Figs. 10A-11). The product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file is captured (see Pg. 7, lines 7-8; Pg. 42, lines 4-9; Fig. 10A), and added to the system product data file (see Pg. 7, lines 8-9; Pg. 42, lines 4-9; Fig. 10A) so that it can be transmitted to the customer.

The provision of a customer product portfolio file is an important feature of the present invention in that it allows the customer to receive selected product data, for instance, product data that is missing from the customer product portfolio file, or product data that has been specifically selected by the customer. Thus, only the desired product data is sent, allowing the customer to easily utilize the received product data in the customer's electronic catalog.

The present invention may be implemented to generate component data for the product from the system product data file, wherein the component data includes at least one of a product description, technical specifications, a marketing description, an image, and a URL associated with the product. (See Pg. 21, line 17-Pg. 22, line 10; Pg. 32, lines 2-18; Fig. 10A). The present invention may further be implemented to generate enriched product data from the system product data file according to a customer profile, and transmitting the enriched product data. (See Pg. 42, line 14-Pg. 43, line 1; Pg. 50, line 2-11; Figs. 10A, 14A-14B). As previously noted, transmission of such enriched product data allows the customer to receive selected product data that is missing from the customer product portfolio file, or is specifically desired by the client. In this regard, the customer product portfolio file includes a manufacturer SKU associated with a product, a customer SKU assigned by a customer to the product, a manufacturer identifier for the product that identifies a manufacturer of the product, and a product description describing the product. (See Pg. 43, lines 5-12; Fig. 10B).

Furthermore, to facilitate mapping and adding the captured product data, the present invention may be implemented to retrieve a component definition associated with the component data, the component definition having a section header, a line header, and a line body definition. (See Pg. 48, line 5-Pg. 49, line 2; Figs. 13C-13E). The contents of the line body may be obtained from the system product data file and from literals provided in the line body definition. (See Pg. 49, lines 13-16; Fig. 13E).

The present invention may further include extracting information specified by a component definition from the system product data file and the data model (see pg. 32, lines 2-18; Figs. 13A-13E), and building a component descriptor from the extracted information and the component definition (see Pg. 48, line 5-Pg. 49, line 2; Figs. 13C-13E). The method may further include providing the component descriptor in response to a catalog query (see Pg. 49, line 24-Pg. 50, line 2), and storing the component descriptor in a file (see Pg. 49, lines 24-25).

In accordance with another aspect, the present invention includes accepting a selection of at least one of the set of product attributes corresponding to one of the plurality of product categories (see Pg. 53, line 17-Pg. 54, line 17; Fig. 15A), accepting a selection of products within the one of the plurality of product categories (see Pg. 54, lines 17-18), obtaining one or more attribute values corresponding to the selected product attributes for each of the selected products from the catalog database, (see Pg. 54, lines 18-22) and displaying the obtained attribute values for the selected products (see Pg. 54, lines 18-22; Fig. 15A). In this regard, displaying of the obtained attribute values for the selected products may include assigning normalized numeric values to the obtained attribute values. (See Pg. 51, line 13-Pg. 52, line 3).

In accordance with still another aspect, the present invention includes accepting a user query specifying a product and a catalog component to be retrieved for use in an electronic catalog (see Pg. 53, line 17-Pg. 54, line 22), obtaining a catalog component definition associated with the catalog component that defines a format for the catalog component (see Pg. 49, lines 18-20; Fig. 13E), extracting information specified by the catalog component definition from the catalog database and the data model (see Pg. 49, lines 20-21; Fig. 13E), and building a catalog

component descriptor from the extracted information and the catalog component definition (see Pg. 49, lines 21-25).

In accordance with yet another aspect of the present invention, a system for distributing data for use in an electronic catalog is provided, comprising a processor, and a memory, at least one of the processor and the memory being adapted for performing the method of the present invention described. (See Pg. 15, lines 3-11; Pg. 53, lines 17-25; Figs. 1, 15A). In yet other aspect of the present invention, a computer readable medium with computer readable code for implementing the above described method is provided. (See Pg. 54, line 23-Pg. 55, line 2).

Still another aspect of the present invention is a system for distributing data for use in an electronic catalog, comprising a means for capturing product data for one or more products according to a data model (110, 114; see Pg. 15, lines 2-12; Fig. 1), the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes, and a means for storing the captured product data in a product data file (108, 112; see Pg. 15, lines 2-12; Fig. 1), the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU identifying each of the products for a customer requesting distribution of specified product data for use in an electronic catalog the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

In accordance with another embodiment, the system for maintaining catalog data stored in a system product data file comprises a means for receiving a customer product portfolio file (1504, 1508; see Pg. 53, lines 17-21; Fig. 15A), the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which data is requested by the customer in the customer product portfolio file, a

means for electronically mapping the customer product portfolio file to the system product data file (1004, 1512; see Pg. 53, lines 21-25; Figs. 10A, 15A) such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which data is requested by the customer has been previously obtained and stored in the system product data file, a means for capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file (110, 1006, 1512; see Pg. 15, lines 7-12; Pg. 42, lines 2-7; Figs. 1, 10A, 15A), and a means for adding the captured product data to the system product data file (112, 1010, 1512; see Pg. 15, lines 7-12; Pg. 42, lines 2-7; Figs. 1, 10A, 15A).

Thus, the above described invention and features thereof, provides a new method and system for maintaining and distributing product data to customers such as online merchants of electronic products, so that such customers receive accurate and up-to-date product data that can be readily used in an electronic catalog.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

In the Office Action mailed January 24, 2006, the Examiner has maintained her sole ground for rejection of claims 1-39 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,740,425 to Povilus in view of U.S. Patent No. 6,249,772 to Walker et al. Thus, the issue on appeal is whether claims 1-39 are unpatentable under 35 U.S.C. 103(a).

VII. ARGUMENT

The Appellants respectfully contend that the Examiner has failed to establish a *prima facie* case of obviousness, and the rejection set forth in the Office Action mailed January 24, 2006 should be reversed.

Claims 1-39

First, the cited Povilus reference discloses a relevant data structure and method for creating, maintaining, and publishing multiple renditions of both electronic and printed, single and multi-manufacturer catalogs using a single product database. The

disclosed data structure includes means for creating a product database that has a listing of SKUs, each SKU corresponding to a product or a component of a product. The product database is further described as including product information for each associated SKU, and an identification of each concept node or class of products in which each SKU can be located. Thus, Povilus discloses a method in which a data structure is used to create a product database based on the class/group of products that includes SKUs of products.

In contrast, the cited Walker reference is directed to a completely different field of art that allows a buyer to purchase a product from a merchant at a reduced price that is different than the price that the merchant normally sells the product. (See Abstract). In this regard, the Walker et al. reference discloses a system and method in which a price is pre-negotiated through a contract between the manufacturer of the product and the merchant for allowing the buyer to buy the product at the reduced price from the merchant. (See col. 5, lines 3-12). The reference further discloses that the manufacturer provides additional compensation to the merchant to offset the discount provided to the buyer.

Thus, the invention disclosed in Walker et al. is directed to pricing of products in commerce, and does not relate at all to the distribution of data, or maintaining catalog data, which is the subject of the present invention and the cited Povilus reference. Correspondingly, the Walker et al. reference is not a relevant reference since it is not in the same field of endeavor, and is not reasonably pertinent to the problems addressed by the present invention. As expected, due to the unrelated nature of the cited Povilus and Walker references, these references fail to teach combining the references in the manner now suggested by the Examiner.

The Examiner, in her Office Action, asserts that there is motivation to combine these references "to control the flow of products to different retailer by one identification number even if the retailers use different method of identifying the same product based on the way the sort their products . . . since both references deals with products and products ID where the product is associating id to a product in an electronic catalog and they both are in the same endeavor." However, the Examiner appears to be engaging in impermissible "hindsight reconstruction" to use the

teachings of the present application to derive the present invention in that Walker does not relate to the technological field or solve the problem that is addressed by the Povilus reference and the present invention, and one of ordinary skill in the art would not be motivated to refer to the cited Walker reference. Thus, the Applicants contend that the Examiner's rejection is improper and should be reversed.

Secondly, even if these references were properly combinable, they still fail to result in the present invention as claimed as discussed in detail herein below.

Claims 1, 31, 32, and 33

Examiner's rejection of claims 1, 31, 32 and 33, is improper in that these claims recite that product data includes both a manufacturer SKU that identifies each of the products, and customer SKU that identifies each of the products. These claims also recite that the manufacturer SKU is associated with the customer SKU, and each customer SKU is also associated with a customer. As discussed above, this provision of both the manufacturer SKU and the customer SKU, and the recited association, are important features because they facilitate the customers' ability to generate a catalog for the users and enhance accuracy of the product information.

As conceded by the Examiner in the Office Action mailed January 24, 2006, Povilus is silent with respect to storing product data including both a manufacturer SKU and a customer SKU, associating these SKUs, and associating the customer SKU with a customer. To cure this defect, the Examiner cites Figure 6A, Col. 8, lines 10-17 of Walker to assert that the "STORE ID NUMBER" disclosed in Walker corresponds to the "customer SKU" recited in these claims. This is improper. The STORE ID NUMBER disclosed in Walker is a number that merely identifies a particular store so that available inventory at the store can be indicated. (See Col. 15, lines 32-39). In other words, the disclosed STORE ID NUMBER is associated with the particular store that sells the product, and does not identify, or function to identify, a particular product that is being sold.

Thus, the cited Walker reference fails to cure the deficiencies of the Povilus reference. Correspondingly, even if these references are combined in the manner suggested by the Examiner, such a combination still fails to disclose, teach, or

otherwise render obvious, the present invention as claimed in the rejected independent claims 1, 31, 32, and 33, as well as the various dependent claims ultimately dependent on one of these claims. Clearly, the Examiner has failed to establish all three basic criteria required for properly establishing a *prima facie* case of obviousness, and this rejection should be reversed.

Claims 2, 34, 35, and 36

Referring again to the Office Action, independent claims 2, 34, 35 and 36 were also rejected as obvious in view of Povilus and Walker. However, the Appellants contend that this rejection is improper in that Povilus and Walker cannot be properly combined as explained above. In addition, even if these references are combined in the manner suggested by the Examiner, the combination still fail to render the invention unpatentable. In particular, these claims specifically recite receiving a customer product portfolio file that includes a plurality of SKUs associated with a plurality of products, and electronically mapping this file to the system product data file to identify products for which product data is not stored in the system product data file. Such missing product data is then captured and stored in the system product data file as recited in these claims.

Povilus appears to disclose creating and naming a new product for storage in a database by allowing manual selection of the desired type of change, creating a new record, and naming the new product in the manner shown in Figure 31B of this reference. However, the Povilus reference does not disclose, teach or otherwise suggest, a customer product portfolio file that is distinct from the system product data file. In addition, the Povilus reference also does not disclose, teach, or suggest electronically mapping the customer product portfolio file to the system product data file so as to identify data that is not in the system product data file. Correspondingly, Povilus further does not teach indicating whether product data has been obtained and stored in the system product data file, and/or capturing the product data to be incorporated into the system product data file, as recited in these claims.

In the Office Action, the Examiner cites various portions of the Povilus reference as disclosing the various recited elements of the claims. However, the

relevance of the various cited portions are entirely unclear. For example, in asserting that the Povilus reference discloses a customer product portfolio file with a plurality of SKUs, the Examiner cites Col. 7, lines 13-19 of Povilus and notes that the disclosed "Definer" corresponds to the customer SKU. The relevance of this is entirely unclear since, as pointed out in the prior responses, Povilus explains that a Definer is a phrase having a definition and exists to give meaning to nodes in a concept structure so as to facilitate understanding between the provider of the products, and the seeker of the categorized products. (See Col. 7, lines 13-26). In other words, a "Definer" is a word or phrase for a node or category likely to convey the identity of the product, and neither refers to a SKU, nor perform a function similar to a SKU.

The Examiner further cites Col. 7, lines 19-28 of Povilus as disclosing the recited mapping of these claims. However, this section of Povilus merely discloses that the relationship between the noted Definers and their synonyms are stored in a Object Oriented Database. The relevancy of this cited portion of the Povilus as it relates to the claim limitation is entirely unclear. Of course, these noted deficiencies are not addressed by the Walker reference, as evidenced by the Examiner's failure to identify one teaching in Walker in support of her position.

Such seemingly random citation to various portions of the Povilus reference is prevalent in the rejection of these claims and throughout the rejections of other claims in the Office Action. The Appellants cannot respond with substantive arguments to such unclear and incomplete rejections except to state that the Examiner has failed to meet her burden of establishing a *prima facie* case of obviousness. Therefore, the Appellants respectfully contend that the rejection is improper, and should be reversed.

Claims 3-12

Various dependent claims 3-12 were also rejected in the Office Action as being rendered obvious by Povilus in view of Walker. However, these claims are ultimately dependent upon independent claim 2, and thus, Examiner's rejections are also improper at least by the reason of their dependency. In addition, the cited

references do not render obvious, the features recited in these claims, even if these references are combined.

For example, dependent claims 5 and 6 further recite generating enriched product data from the system product data file according to a customer profile. The Specification of the present application describes the possible features and advantages in generating enriched product data from the system product data file according to a customer profile. (See Pg. 36, line 24-Pg. 37, line 21). As discussed above, such customer profile sets forth information regarding the customer and the customer's preferences with respect to receiving product data. This allows customization of what product data is provided to which customer, so that the customers do not receive all of the product data, but instead, only receive data that has been indicated as being desired.

The Examiner cited Col. 8, lines 34-39 and 52-58 of Povilus as disclosing the limitations of claim 5, and further explains in Footnote 2 that the Examiner interprets "the further details disclosed by Povilus corresponds to enriched claimed." Such a vague rejection cannot be understood by the Applicants and numerous requests for clarification to the Examiner have gone unanswered. The cited portion of Povilus is directed to the Definer which, as noted previously, is a phrase for a node or category likely to convey the identity of the product. This has nothing to do with enriching the product data with additional information, or to a customer profile as recited in claims 5 and 6. Clearly, the Examiner has failed to properly establish a *prima facie* case of obviousness, and this rejection should be reversed.

Rejected dependent claims 8 and 9 recite a component definition with a section header, line header and line body, that are associated with the component data for implementing the present invention. Rejected dependent claims 10-12 recite building a component descriptor from the extracted information and the component definition. These limitations are not taught or rendered obvious by the cited references. Whereas various portions of Povilus is cited by the Examiner, these cited portions also appear to be irrelevant. Thus, the Examiner's rejection of these dependent claims are also improper since the Examiner has again, failed to

established a *prima facie* case of obviousness. Correspondingly, the reversal of this rejection is requested.

Claims 13 and 37

Independent claims 13 and 37 were rejected as being rendered obvious by Povilus in view of Walker. Again, this rejection is improper in that these references are not properly combinable. In addition, these claims further recite receiving a customer product portfolio file that identifies products for which product data is requested, electronically mapping the customer product portfolio file to the system product data file so that each product for which product data is in the system product data file is identified, generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, and transmitting the enriched product data to the customer. These features are clearly not taught or rendered obvious by the combination of Povilus or Walker references as discussed above.

In rejecting these claims, the Examiner cited Col. 10, lines 27-60 of Povilus. However, the cited portion of Povilus merely discloses activities of a lead engineer in listing, and viewing, the available products in an already existing database of products, and does not relate to the recited limitations of these claims. Thus, this rejection by the Examiner should be reversed.

Claims 14-20, and 30

Dependent claims 14-20, and 30 were also rejected based on the combination of Povilus in view of Walker. However, these claims are dependent upon independent claim 13 which is believed to be allowable. Moreover, dependent claims 17 and 18 further recite obtaining attribute values, and claim 18 recites producing a list of related products, both of these features not being taught or rendered obvious by the cited references. The portions of Povilus cited in by the Examiner in support of her rejection appear irrelevant and do not relate to the limitations recited in the claims. Therefore, the reversal of this rejection is also requested by the Appellants.

Claims 21, 22-25, and 29

Independent claim 21 as well as dependent claims 22-25 and 29 that are dependent thereon, were also rejected based on Povilus in view of Walker. However, in addition to the noted impropriety of combining these references, claim 21 recites a customer product portfolio file including a manufacturer SKU, and a customer SKU, and further recites electronic mapping of the customer product portfolio file with the system product data file. As discussed above, the combination of the cited references still fail to render these claims unpatentable in that they fail to teach a customer product portfolio file with a manufacturer SKU, a customer SKU, or the recited mapping. Moreover, the rejections set forth in the Office Action are deficient in that the various cited portions of the prior art do not teach or suggest the features alleged by the Examiner, and the cited portions do not appear to be relevant to the recited limitations of these claims. Thus, the reversal of rejection is also requested.

Claims 26 and 27

Independent claim 26 and dependent claim 27 were also rejected as being unpatentable in view of Povilus and Walker. This rejection is believed to be improper in that in addition to the noted impropriety of combining these references, claim 26 recites accepting a selection of at least one of the set of attributes which correspond to a category, and accepting a selection of products within the category. Povilus and/or Walker do not disclose or otherwise render obvious, this feature. Whereas Povilus discloses searching and retrieval of product information from a database, and thus, accepting a selection of a product in a category, the cited references do not specifically disclose acceptance of a set of product attribute corresponding to one of the plurality of product categories, and obtaining one or more attribute values corresponding to the selected product attributes for each of the selected products. As a result, the cited prior art references do not allow searching for products based upon attributes of the products, for example, speed of a processor, a size of memory, etc. in the example category of computers. Therefore, the Examiner has again failed to properly establish *prima facie* case of obviousness, and thus, the reversal of this rejection is requested.

Claim 28

Independent claim 28 was also rejected based on Povilus in view of Walker. In addition to the noted impropriety of combining these references, independent claim 28 recites a method of querying a catalog database including accepting a user query specifying a product, as well as a catalog component that is to be retrieved. As previously explained, this means that the customer can customize the type of information regarding a product which is to be retrieved and transmitted to the customer in response to the query. Correspondingly, the customer is not provided with all the information associated with the product, but only the type of information desired by the customer. Thus, the customer can submit a query that specifies one or more of the catalog components that is to be provided as a result of the query, such as the product description, technical specifications, a marketing description, an image, and/or a URL. In this regard, the claim further recites obtaining of a catalog component definition that is associated with the catalog component, and also defines a format for the catalog component.

This is in contrast to the Povilus reference that discloses the ability of a user to obtain information regarding only a portion of the manufacturer's total offering of products (i.e. all information regarding some of the products, not some information regarding some of the products). The cited Walker reference does not cure these noted deficiencies of Povilus. Thus, the Examiner's rejection is believed to be improper and reversal thereof is requested.

Claims 37-39

The Examiner further rejected independent claims 37-39 as being rendered obvious by Povilus in view of Walker. However, the Examiner's Office Action fails to provide any discussion of the basis or rationale for this rejection. Thus, the Applicants cannot respond at all to the Examiner's rejection, except to note that this rejection is clearly improper. In addition, these independent claims all recite a customer product portfolio file includes a plurality of SKUs, a customer profile, and further recite generating enriched product data that includes added product data, which is transmitted to the customer. As discussed above, these features are not

taught, or otherwise rendered obvious, by Povilus and/or Walker. Correspondingly, the reversal of this rejection is also requested.

VIII. CLAIMS APPENDIX

Appealed claims are appended hereto in the attached **CLAIMS APPENDIX**.

IX. EVIDENCE APPENDIX

None.

X. RELATED PROCEEDINGS APPENDIX

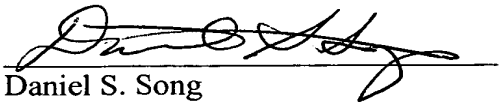
None.

XI. CONCLUSION

Thus, at least for the foregoing reasons, the Appellants contend that the Examiner's rejection of the presently pending claims is improper in that the cited Povilus and Walker references does not render the claimed invention obvious or unpatentable. Therefore, the reversal of the Examiner's rejection under 35 U.S.C. §103(a) with respect to all of the pending claims 1-39 are respectfully requested.

Respectfully submitted,

Date: **June 26, 2006**



Daniel S. Song
Registration No. 43,143

Customer No.: 22204

NIXON PEABODY LLP
401 9th Street, N.W., Suite 900
Washington, DC 20004
(202) 585-5000
(202) 585-8080 (Fax)

CLAIMS APPENDIX

1. A method of distributing data for use in an electronic catalog, comprising:

capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

storing the captured product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products, and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog, the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

2. A method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which data is requested by the customer has been previously obtained and stored in the system product data file;

capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

adding the captured product data to the system product data file.

3. The method as recited in claim 2, further including:

generating component data for the product from the system product data file, wherein the component data includes at least one of a product description, technical specifications, a marketing description, an image, and a URL associated with the product.

4. The method as recited in claim 3, wherein technical specifications comprises at least one of main technical specifications and extended technical specifications.

5. The method as recited in claim 3, further including:

generating enriched product data from the system product data file according to a customer profile; and

transmitting the enriched product data.

6. The method as recited in claim 5, wherein the steps of generating enriched product data and transmitting the enriched product data are performed simultaneously with the steps of capturing product data, adding the captured product data, and generating component data.

7. The method as recited in claim 2, wherein the customer product portfolio file includes:

a manufacturer SKU associated with a product;

a customer SKU assigned by a customer to the product;

a manufacturer identifier for the product that identifies a manufacturer of the product; and

a product description describing the product.

8. The method as recited in claim 3, further including:

retrieving a component definition associated with the component data, the component definition having a section header, a line header, and a line body definition that defines contents and format for a line body which describes the line header;

obtaining the contents of the line body from the system product data file and from literals provided in the line body definition; and

providing the section header, the line header, and the line body.

9. The method as recited in claim 8, further including:

classifying the product in one of a plurality of categories, each of the categories having at least one attribute group that identifies one or more product attributes, each of the product attributes being associated with one or more values;

wherein the line header identifies an attribute group associated with the product.

10. The method as recited in claim 3, further including:

classifying the product according to a data model;

extracting information specified by a component definition from the system product data file and the data model; and

building a component descriptor from the extracted information and the component definition.

11. The method as recited in claim 10, further including:

providing the component descriptor in response to a catalog query.

12. The method as recited in claim 10, further including:

storing the component descriptor in a file.

13. A method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file that identifies products for which product data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with the products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products which are to be transmitted to the customer; and

transmitting the enriched product data with the added product data to the customer, wherein the enriched product data is suitable for use by the customer in an electronic catalog.

14. The method as recited in claim 13, wherein the customer profile identifies at least one customer, and wherein generating enriched product data from the system product data file according to the customer profile includes:

obtaining a system record associated with a customer from the system product data file; and

generating a product header for the system record, the product header including a customer SKU associated with the system record.

15. The method as recited in claim 14, wherein the product header further includes a system SKU that identifies a product associated with the system record and a category identifier that identifies a category in which the product is classified.

16. The method as recited in claim 14, wherein the product header further includes at least one of a manufacturer product description that describes standard features of the product, a product line associated with the product, and a model number associated with the product.

17. The method as recited in claim 14, wherein the customer profile further includes customer searchable attribute preferences corresponding to each customer, the customer searchable attribute preferences specifying attributes for which values are to be transmitted, the method further including:

obtaining attribute values for the specified attributes from the system record.

18. The method as recited in claim 17, further including:

producing the customer searchable attribute preferences.

19. The method as recited in claim 14, further including:

producing a list of related products associated with the system record.

20. The method as recited in claim 19, wherein the list of related products includes the customer SKU associated with the system record and a customer SKU for each of the related products.

21. A method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file that identifies products for which product data is requested by one or more customers, the product data being suitable for use in an electronic catalog, the customer product portfolio file including a manufacturer SKU associated with each of the products for which product data is requested for use in an electronic catalog, a customer SKU associated with each of the products that corresponds to one of the customers, and a manufacturer identifier identifying a manufacturer of each of the products for which product data is requested, each of the customers being a manufacturer, retailer, or distributor products

for which product data is requested by the customer in the customer product portfolio file; and

electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is not in the system product data file is identified, thereby identifying products for which product data is requested but has not been previously obtained and stored in the system product data file.

22. The method as recited in claim 21, wherein mapping the customer product portfolio file includes:

ascertaining whether the manufacturer identified in the customer product portfolio file is new, the manufacturer being a new manufacturer if the manufacturer is not identified in the system product data file; and

if the manufacturer is new, assigning a manufacturer identifier to the new manufacturer such that the manufacturer identifier is stored in the system product data file.

23. The method as recited in claim 21, wherein mapping the

customer product portfolio file includes:

determining whether the customer SKU in the customer product portfolio file is new, the customer SKU being new if the customer SKU is not identified in the system product data file; and

if the customer SKU is new, creating a new system SKU such that the new system SKU is mapped in the system product data file to the customer SKU.

24. The method as recited in claim 23, further including:

classifying the new system SKU according to a data model, the data model including one or more classes, each of the one or more classes including one or more categories.

25. The method as recited in claim 23, further including:

determining whether the customer SKU is invalid; and

reporting the customer SKU if it is determined to be invalid.

26. A method of querying a catalog database, the catalog database including product data for one or more products, each of the products being classified in at least one of a plurality of product categories, the product data for each product including a set of product attributes corresponding to the product category within which the product is classified, each of the product attributes having at least one attribute value, the method comprising:

accepting a selection of at least one of the set of product attributes corresponding to one of the plurality of product categories;

accepting a selection of products within the one of the plurality of product categories;

obtaining one or more attribute values corresponding to the selected product attributes for each of the selected products from the catalog database; and

displaying the obtained attribute values for the selected products.

27. The method as recited in claim 26, where displaying the obtained attribute values for the selected products includes assigning normalized numeric values to the obtained attribute values.

28. A method of querying a catalog database including product data for one or more products classified according to a data model, the method comprising:

accepting a user query specifying a product and a catalog component to be retrieved for use in an electronic catalog, the catalog component including at least one of a product description, technical specifications, a marketing description, an image, and a URL associated with the product;

obtaining a catalog component definition associated with the catalog component, the catalog component definition defining a format for the catalog component;

extracting information specified by the catalog component definition from the catalog database and the data model; and

building a catalog component descriptor from the extracted information and the catalog component definition.

29. The method as recited in claim 21, wherein the customer product portfolio file further includes:

a product description describing each of the products for which product data is requested.

30. The method as recited in claim 13, wherein mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified comprises identifying one or more of the products for which product data is requested and has not been previously obtained and stored in the system product data file.

31. A computer-readable medium storing thereon computer-readable instructions for distributing product data for use in an electronic catalog, comprising:

instructions for capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

instructions for storing the product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog, the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

32. A system for distributing data for use in an electronic catalog, comprising:

means for capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

means for storing the captured product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU identifying each of the products for a customer requesting distribution of specified product data for use in an electronic catalog the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

33. A system for distributing data for use in an electronic catalog, comprising:

a processor; and

a memory, at least one of the processor and the memory being adapted for:

capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

storing the product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog, the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the

stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

34. A computer-readable medium storing thereon computer-readable instructions for maintaining catalog data stored in a system product data file, comprising:

instructions for receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file;

instructions for electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which product data is requested by the customer has been previously obtained and stored in the system product data file;

instructions for capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

instructions for adding the captured product data to the system product data file.

35. A system for maintaining catalog data stored in a system product data file, comprising:

means for receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which data is requested by the customer in the customer product portfolio file;

means for electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which data is requested by the customer has been previously obtained and stored in the system product data file;

means for capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

means for adding the captured product data to the system product data file.

36. A system for maintaining catalog data stored in a system product data file, comprising:

a processor; and

a memory, at least one of the processor and the memory being adapted for:

receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which product data is requested by the customer has been previously obtained and stored in the system product data file;

capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

adding the captured product data to the system product data file.

37. A computer-readable medium storing thereon computer-readable instructions for maintaining catalog data stored in a system product data file, comprising:

instructions for receiving a customer product portfolio file that identifies products for which data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

instructions for electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

instructions for generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products for which values are to be transmitted to the customer; and

instructions for transmitting the enriched product data with the added product data to the customer.

38. A system for maintaining catalog data stored in a system product data file, comprising:

means for receiving a customer product portfolio file that identifies products for which product data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with products for which data is requested by a customer for use in a catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

means for mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

means for generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products which are to be transmitted to the customer; and

means for transmitting the enriched product data with the added product data to the customer.

39. A system for maintaining catalog data stored in a system product data file, comprising:

a processor; and

a memory, at least one of the processor and the memory being adapted for:

receiving a customer product portfolio file that identifies products for which product data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

generating enriched product data with added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products which are to be transmitted to the customer; and

transmitting the enriched product data with the added product data to the customer.